

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

In:

Kretia McMillan

Debtor(s)

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Case No.: 13-41472-659

Chapter 13

Response due: 1/17/17

**DEBTOR'S NOTICE AND MOTION TO RATIFY RETENTION OF TAX  
REFUND**

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, THE DATE OF WHICH WILL BE SENT TO YOU IF YOU FILE A RESPONSE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS**

Comes Now Debtor by and through counsel, and moves this Court for its Order permitting Debtor to retain \$2,117.77 of her 2015 tax refunds. In support of this motion, Debtor states:

1. Debtor's 2015 federal and state tax refunds totaled \$2,913.
2. The Order of Confirmation entered in this cause allowed debtor to retain \$1,250 of her tax refund. Debtor's requests that this Court ratify debtor's expenditure of an additional \$867.77 of her tax refund.
3. Debtor spent a total of \$2,117.77 of her 2015to repair the suspension and air conditioner of her 2009 Chevy Truck Traverse. (Debtor mistakenly identified the year of her vehicle as "2010" in Schedule B.) The foregoing repair was required because the strut would move for balance making it difficult for debtor to steer the vehicle.
4. Debtor requests the ratification of this expenditure leaving a balance of \$795.23 owed and to be paid the Trustee out of debtor's 2015 tax refunds.

WHEREFORE, foregoing reasons, debtor requests that this motion be granted.

/s/Ross Briggs #2709 #31633

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**CERTIFICATE OF SERVICE:**

By my signature above it is certified that a copy of the above was served by ECF system and/or by First Class Mail, this ~~29th~~ <sup>27th</sup> day of Dec, 2016 upon the Chapter 13 Trustee and:

ALLY FINANCIAL  
PO BOX 78367  
PHOENIX, AZ 85062

MO DEPT OF REVENUE  
PO BOX 475  
JEFFERSON CITY, MO 65105-0475

EDUCATIONAL CREDIT MGMT CORP  
PO BOX 16478  
LOCKBOX #8682  
ST PAUL, MN 55116-0478

AMEREN MISSOURI  
PO BOX 66881  
MAIL CODE 310  
ST LOUIS, MO 63166

QUANTUM3 GROUP LLC  
PO BOX 788  
KIRKLAND, WA 98083-0788

AT&T MOBILITY II LLC  
ONE AT&T WAY RM 3A231  
C/O AT&T SERVICES INC  
BEDMINSTER, NJ 07921

LVNV FUNDING LLC  
PO BOX 10587  
C/O RESURGENT CAPITAL SVCS  
GREENVILLE, SC 29603-0587

QUANTUM3 GROUP LLC  
PO BOX 788  
KIRKLAND, WA 98083-0788

LVNV FUNDING LLC  
PO BOX 10587  
C/O RESURGENT CAPITAL SVCS  
GREENVILLE, SC 29603-0587

SACOR FINANCIAL INC  
1911 DOUGLAS BLVD 85-205  
C/O GE MONEY  
ROSEVILLE, CA 95661

SOUTHWESTERN BELL TELEPHONE CO  
ONE AT&T WAY RM 3A231  
C/O AT&T SERVICES INC  
BEDMINSTER, NJ 07921

MOHELA  
100 CAMBRIDGE ST #1600  
C/O ASA/MDHE  
BOSTON, MA 02114                      /s/ Ross H. Briggs